ADAMS, J.

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION

DENNIS DEVAUGHN,)
) CASE NO. 1:05CV1134
Petitioner,)
)
V.) <u>Judge John R. Adams</u>
)
JULIUS WILSON, Warden,) ORDER
)
Respondent.)
)

This matter comes before the Court on Petitioner Dennis DeVaughn's Objection and Rebuttal to the Magistrate Judge's Report and Recommendation. This action was referred to Magistrate Judge Vecchiarelli for a Report and Recommendation (the "Report") on the Petition for Habeas Corpus. The Magistrate found Petitioner's grounds for relief not well-taken and recommended that this Court dismiss the action. Petitioner, after requesting leave, filed his Objections to the Report.

The Federal Magistrates Act requires a district court to conduct a *de novo* review of those portions of the Report to which an objection has been made. 28 U.S.C. § 636(b)(1). The Court has been advised, having reviewed the Petition, Respondent's Motion to Dismiss and exhibits attached thereto, Petitioner's Opposition, the Report, Petitioner's objections thereto, the exhibits, and the applicable law.

Having considered *de novo* those portions of the Magistrate's Report to which objection is made by the Petitioner, the Court finds that there appear to be no factual disputes that would warrant a hearing. Furthermore, based on a *de novo* review of the record in light of Petitioner's

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objections, this Court agrees with the conclusions of the Magistrate Judge and adopts the Report

as its own. Therefore, the Report by the Magistrate Judge is ADOPTED IN WHOLE and the

findings of fact and conclusions of law are fully incorporated by reference herein. As such, the

Petition for Habeas Corpus is hereby DISMISSED with prejudice. No further articulation of the

Court's reasoning need be provided. Tuggle v. Seabold, 806 F.2d 87, 92-93 (6th Cir. 1986).

IT IS SO ORDERED.

July 25, 2006

Date

/s/ John R. Adams

John R. Adams

U.S. District Judge